

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 2-2005)		ATTORNEY'S DOCKET NUMBER 274767US6PCT
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/550289</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP05/01160</b>	INTERNATIONAL FILING DATE <b>21 JANUARY 2005</b>	PRIORITY DATE CLAIMED <b>29 JANUARY 2004</b>
TITLE OF INVENTION <b>OPTICAL DISC RECORDING APPARATUS, OPTICAL DISC RECORDING METHOD, OPTICAL DISC, OPTICAL DISC REPRODUCING APPARATUS, AND OPTICAL DISC REPRODUCING METHOD</b>		
APPLICANT(S) FOR DO/EO/US <b>Toshihiro FUJIKI</b>		<b>MAIL STOP PCT</b>
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li><input type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li><input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li><input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>		
Items 13 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> Express Mail Label No.</li> <li><input checked="" type="checkbox"/> Other items or information:</li> </ol>		
Application Data Sheet Notice of Priority PCT/IB/304 Drawings (15 Sheets)		PTO-1449 Cited References (7) Statement Regarding Declaration of Inventors

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/550289</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP05/01160</b>		ATTORNEY'S DOCKET NUMBER <b>274767US6PCT</b>	
The following fees are submitted:					
24. <input checked="" type="checkbox"/> Basic national fee ..... \$300					
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ..... \$100 All other situations. ..... \$200					
26. <input checked="" type="checkbox"/> Search fee ..... Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared and provided to the Office ..... \$400 All other situations. ..... \$500					
<b>TOTAL OF 24, 25 and 26 =</b>					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
- 100 =	0 /50 =	0		x \$250.00	\$ <b>\$0.00</b>
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	35 - 20 =	15	x \$50.00	\$ <b>\$750.00</b>	
Independent claims	8 - 3 =	5	x \$200.00	\$ <b>\$1,000.00</b>	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00					
<b>TOTAL OF ABOVE CALCULATIONS =</b> \$ <b>\$2,650.00</b>					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
<b>SUBTOTAL =</b> \$ <b>\$2,650.00</b>					
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
<b>TOTAL NATIONAL FEE =</b> \$ <b>\$2,650.00</b>					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$ <b>\$0.00</b>					
<b>TOTAL FEES ENCLOSED =</b> \$ <b>\$2,650.00</b>					
<input type="checkbox"/> Amount to be \$					
<input type="checkbox"/> Amount to be \$					

a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.  
 b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
     A duplicate copy of this sheet is enclosed.  
 c.  The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment  
     to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.  
 d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card  
     information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))  
must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:  
Customer Number: 22850

Surinder Sachar  
Registration No. 34,423

SIGNATURE  
*Surinder Sachar*

NAME  
**Gregory J. Maier**

NAME  
**25,599**

REGISTRATION NUMBER

DOCKET NO.: 274767US6PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Toshihiro FUJIKI

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/JP05/01160

INTERNATIONAL FILING DATE: JANUARY 21, 2005

FOR: OPTICAL DISC RECORDING APPARATUS, OPTICAL DISC RECORDING METHOD, OPTICAL DISC, OPTICAL DISC REPRODUCING APPARATUS, AND OPTICAL DISC REPRODUCING METHOD

**STATEMENT REGARDING DECLARATION OF THE INVENTORS**  
**(35 U.S.C. 371(c)(4))**

Commissioner for Patents

Alexandria, Virginia 22313

Sir:

The above-identified new application being filed herewith is accompanied by a declaration of the inventors. If the declaration is in a language other than the English language, it is accompanied by an English translation. The translation is accurate (37 CFR 1.69).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*Surinder Sachar*

\_\_\_\_\_  
Gregory J. Maier  
Attorney of Record  
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